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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/712,550

11/13/2003

Binh T. Nguyen

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9163

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04/16/2009

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EXAMINER

LEIVA, FRANK M

ART UNIT

PAPER NUMBER

3714

MAIL DATE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/712,550	<b>Applicant(s)</b> NGUYEN ET AL.	
	<b>Examiner</b> FRANK M. LEIVA	<b>Art Unit</b> 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5,23-28,42,44 and 48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,23-28,42,44 and 48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Acknowledgements*

1. The examiner acknowledges amendment to claim 42 in applicant's submission filed 10 November 2008.

### *Response to Arguments*

2. Applicant's arguments see Remarks, filed 10 November 2008, with respect to the eligibility of Schlottmann as a reference has been fully considered and is persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Acres (US 6,319,125 B1).

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-5, 23-28, 42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Letovsky et al (US Pub. 2002/0151363 A1), in view of McGovern et al (US Pub. 2004/0186858 A1).**

5. Regarding the analogous combination of the references; Letovsky describes a gaming system that permanently stores event data in a storage device; McGovern describes a method of permanently storing data using a write-once device.

6. **Regarding claims 1 and 26-27 and 42;** Letovsky discloses a gaming system comprising:

a server computer; a network computer operatively coupled to said server computer, (abstract) said network computer comprising a permanent data storage device and an operational event controller operatively coupled to said permanent data storage device, said operational event controller comprising a processor and a memory operatively coupled to said processor, (¶ [0012 and 0025] and fig. 1: 90 and 15).

said operational event controller being programmed to retrieve operational event data, said operational event controller being programmed to permanently store said operational event data on said data storage device, (¶ [0025 and 0027]), and

said operational event controller being programmed to communicate said operational event data to said server computer upon a request from said server computer for said operational event data, a plurality of gaming apparatuses operatively coupled to said network computer, (claim 20).

each gaming apparatus comprising: a display unit, a ticket printer capable of generating ticket vouchers, a value input device, and a controller operatively coupled to said display unit, said ticket printer and said value input device, said controller comprising a processor and a memory operatively coupled to said processor, said controller being programmed to cause said display unit to generate a game display relating to a game, said controller being programmed to determine a value payout associated with an outcome of said game, (¶ [0025]), wherein wagering device 50 is a known gaming device such as a video slot machine; known to be comprised of ticket printers video displays memory and processors; and

said controller being programmed to communicate said operational event data to said operational event controller, said operational event data comprising one or more of the following data types: accounting data, cashless data, security data, player tracking data and maintenance data, (¶ [0016 and 0018]).

Letovsky discloses the backup as being permanent, but is not explicit to it being a write-once device. McGovern discloses the use of a write-once device to permanently store data on a network system, (abstract).

Because both Letovsky and McGovern teach methods that permanently stores data, it would have been obvious to one skill in the art at the time of applicant's invention to

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substitute the method of Letovsky's permanent record for the method of write-once memory to archive network data; which would yield the predictable result of using a write-once device to store that permanent data of the Letovsky invention.

7. **Regarding claim 2;** Letovsky discloses further comprising a plurality of server computers, wherein said operational event controller is programmed to communicate said operational event data to a particular server computer based on said data type, (¶ [0018]).

8. **Regarding claim 3;** Letovsky discloses further comprising a plurality of said network computers operatively coupled to said server computer and each disposed in a different geographic location, wherein: said operational event controller is programmed to communicate said operational event data to an operational event controller of at least one of said plurality of network computers, and said operational event controller is programmed receive operational event data from an operational event controller of at least one of said plurality of network computers, (¶ [0003 and 0011]).

9. **Regarding claim 4;** Letovsky discloses the system being applied to government sponsored gaming devices, (¶ [0002 and 0030]).

10. **Regarding claim 5;** Letovsky discloses wherein said gaming system comprises a casino gaming system, (¶ [0002]).

11. **Regarding claim 23;** Letovsky discloses further comprising a plurality of gaming apparatuses said gaming apparatuses being interconnected to form a network of gaming apparatuses, (fig. 3).

12. **Regarding claim 24;** Letovsky discloses wherein said controller is programmed to retrieve operational event data from each of said gaming apparatuses and communicate said received operational event data to said data storage device, (¶ [0025 and 0027]).

13. **Regarding claim 25;** Letovsky discloses wherein each controller is programmed to communicate said operational event data to a data storage device of at least one of said plurality of gaming apparatuses, (¶ [0025 and 0027]).

14. **Regarding claim 28;** Letovsky discloses wherein said gaming apparatuses are interconnected via the Internet, (fig. 5:403).

15. **Regarding claim 44;** Letovsky and McGovern disclose all the limitations of claims 1 and 23 from which claim 44 depends on, including wherein each controller is programmed to communicate said operational event data to a single-write data storage device of at least one of said plurality of gaming apparatuses, Letovsky (¶ [0027]) and McGovern (abstract), wherein the above combined Letovsky and McGovern invention permanently archives event data into a write-once device.

16. **Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Letovsky and McGovern as applied to claim 1 above, and further in view of Official Notice.**

17. **Regarding claim 48;** Letovsky and McGovern discloses all the limitations of claim 1 from which claim 48 depends on, yet are silent to a ticket printer on the machine. The examiner takes Official Notice wherein the state of the art at the time of applicant's invention includes the well-known ticket printers for printing payout vouchers redeemable at the cashier's booths in the casino floor. This includes a system wherein said controller is configured or designed to cause said ticket printer to issue a ticket voucher comprising at least a portion of said operational event data, since it required cashless fund transfer permissions from the network before printing. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to use ticket printers in their machines in order to keep up with the current technology and maintain customer satisfaction levels.

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18. **Examiner's Note:** Examiner has cited paragraphs and figures in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANK M. LEIVA whose telephone number is (571)272-2460. The examiner can normally be reached on M-Th 9:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter D. Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FML

04/13/2009

/Peter D. Vo/

Supervisory Patent Examiner, Art Unit 3714